

Brittany Resch (*pro hac vice*)
 Raina C. Borrelli (*pro hac vice*)
STRAUSS BORRELLI PLLC
 One Magnificent Mile
 980 N Michigan Avenue, Suite 1610
 Chicago, IL 60611
 Telephone: (872) 263-1100
 Facsimile: (872) 263-1109
 bresch@straussborrelli.com
 raina@straussborrelli.com

Andrew W. Ferich (*pro hac vice*)
AHDOOT & WOLFSON, PC
 201 King of Prussia Road, Suite 650
 Radnor, PA 19087
 Telephone: (310) 474-9111
 Facsimile: (310) 474-8585
 aferich@ahdootwolfson.com

Anthony L. Parkhill (*pro hac vice*)
BARNOW AND ASSOCIATES, P.C.
 205 West Randolph Street, Ste. 1630
 Chicago, IL 60606
 Telephone: (312) 621-2000
 Facsimile: (312) 641-5504
 aparkhill@barnowlaw.com

Counsel for Plaintiffs and the Proposed Class
 [Additional Counsel Appear on Signature Page]

**UNITED STATES DISTRICT COURT
 DISTRICT OF UTAH**

LAZARO STERN, CELESTE ALLEN, LISA
 KUCHERRY, PETER SMITH, and SHARON
 THOMPSON, individually and on behalf of all
 others similarly situated,

Plaintiffs,

v.

ACADEMY MORTGAGE CORPORATION,

Defendant.

Case No. 2:24-cv-00015-DBB-DAO

Judge David B. Barlow

Magistrate Judge Daphne A. Oberg

**STIPULATED MOTION TO SET
 SCHEDULE FOR FILING
 AMENDED COMPLAINT AND
 BRIEFING DEADLINES**

Plaintiffs Lazaro Stern, Celeste Allen, Lisa Kucherry, Peter Smith, and Sharon Thompson (“Plaintiffs”) and Defendant Academy Mortgage Corporation (“Academy”) hereby jointly stipulate and agree to set a deadline for Plaintiffs to file an amended complaint in this matter, and to deadlines for motion to dismiss briefing, and state the following:

WHEREAS, on July 18, 2024, Plaintiffs filed the Consolidated Class Action Complaint (“CC”) in this matter. ECF No. 41;

WHEREAS, on September 9, 2024, Defendant filed a Motion to Dismiss the CC. ECF No. 49;

WHEREAS, following motion to dismiss briefing, on January 17, 2025, this Court entered an order granting the Motion to Dismiss (the “MTD Order”) and dismissed this case without prejudice. ECF No. 62;

WHEREAS, the parties have conferred about the case and scheduling going forward and have reached an agreement on deadlines for Plaintiffs’ First Amended Consolidated Class Action Complaint and motion to dismiss briefing.

NOW THEREFORE, the parties, having met and conferred, hereby jointly stipulate and agree, by and through their counsel as follows:

- Plaintiffs shall file the First Amended Consolidated Class Action Complaint (“FAC”) no later than February 21, 2025 (i.e., 35 days after the Court’s MTD order);
- Defendant shall file any Motion to Dismiss no later than March 28, 2025 (i.e., 35 days after the FAC is filed);
- Plaintiffs shall file any response to the Motion to Dismiss no later than May 2, 2025 (i.e., 35 days after the deadline for the Motion to Dismiss); and
- Defendant shall file a reply, if any, by no later than May 16, 2025 (i.e., 14 days after the Motion to Dismiss Opposition).

Good cause exists for the approval of this stipulation because the proposed schedule ensures efficiency, judicial economy, and fairness to the parties. This schedule also balances the

need for thorough briefing with the Court's interest in efficient case management. The Parties respectfully submit that this stipulation will not prejudice either party and will promote the just, speedy, and inexpensive determination of this matter pursuant to Fed. R. Civ. P. 1.

A proposed order is attached hereto as Exhibit A.

Dated: February 12, 2025

/s/ Brittany Resch

Brittany Resch (*pro hac vice*)
Raina C. Borrelli (*pro hac vice*)
STRAUSS BORRELLI PLLC
One Magnificent Mile
980 N Michigan Avenue, Suite 1610
Chicago, IL 60611
Telephone: (872) 263-1100
Facsimile: (872) 263-1109
bresch@straussborrelli.com
raina@straussborrelli.com

Jason R. Hull [11202]
MARSHALL OLSON & HULL, PC
Newhouse Building
Ten Exchange Place, Suite 350
Salt Lake City, UT 84111
Telephone: (801) 456-7655
jhull@mohtrial.com

Andrew W. Ferich (*pro hac vice*)
AHDOOT & WOLFSON, PC
201 King of Prussia Road, Suite 650
Radnor, PA 19087
Telephone: (310) 474-9111
Facsimile: (310) 474-8585
aferich@ahdootwolfson.com

Anthony L. Parkhill (*pro hac vice*)
BARNOW AND ASSOCIATES, P.C.
205 West Randolph Street, Ste. 1630
Chicago, IL 60606
Telephone: (312) 621-2000
aparkhill@barnowlaw.com

Dated: February 12, 2025

/s/ Kamie F. Brown

Kamie F. Brown (8520)
RAY QUINNEY & NEBEKER P.C.
36 South State Street, Suite 1400
P. O. Box 45385
Salt Lake City, UT 84145-0385
Telephone: (801) 532-1500
Facsimile: (801) 532-7543
kbrown@rqn.com

Justin J. Boron (*pro hac vice* forthcoming)
FREEMAN MATHIS & GARY, LLP
1600 Market Street
Philadelphia, PA 19103-7240
Telephone: (215) 789-4919
justin.boron@fmglaw.com

Attorneys for Defendant

*Attorneys For Plaintiffs and Proposed Class
Counsel*